

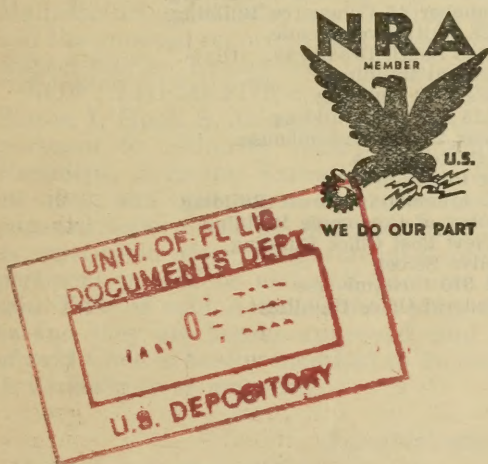
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

FLOOR AND WALL CLAY TILE
MANUFACTURING INDUSTRY

AS APPROVED ON MAY 18, 1934

UNITED STATES
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AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

FLOOR AND WALL CLAY TILE MANUFACTURING
INDUSTRY

As Approved on May 18, 1934

ORDER

APPROVING AMENDMENTS TO CODE OF FAIR COMPETITION FOR THE
FLOOR AND WALL CLAY TILE MANUFACTURING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of amendments to a Code of Fair Competition for the Floor and Wall Clay Tile Manufacturing Industry, and hearings having been duly held thereon and the annexed report on said amendments containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said amendments and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendments be and they are hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. R. GLANCY,
Division Administrator.

WASHINGTON, D.C.,
May 18, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on amendments to the Code of Fair Competition for the Floor and Wall Clay Tile Manufacturing Industry, a hearing on which amendments was conducted in Washington on the ninth of March, 1934, in accordance with the provisions of the National Industrial Recovery Act.

Amendment No. 3.—This amendment provides for a southern wage differential of 25% in order to give justice to three plants which are located in the South. The minimum wage rates prescribed by the original code are approximately 100% higher than the minimum wage rates in effect in these plants in 1929, and approximately 50% higher than the minimum wage rates prescribed in approved codes for closely related industries. This amendment will correct this inequity and permit the re-employment of labor in these plants.

Amendment No. 11.—This amendment provides for a day of rest each week for employees.

Amendment No. 12.—This amendment will prevent the improper classification of employees as "learners" as a subterfuge for wage cutting.

Amendment No. 13.—This amendment will prevent the improper classification of employees as "aged or disabled" as a subterfuge for wage cutting.

FINDINGS

The Assistant Deputy Administrator in his final report to me on said amendments to said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restrictions of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendments on behalf of the industry as a whole.

(d) The amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendments and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, I have approved these amendments.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MAY 18, 1934

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE FLOOR AND WALL CLAY TILE MANUFACTURING INDUSTRY

AMENDMENT No. 3

Article IV of the above named Code is amended by adding thereto the following provisions as Section 6: "The minimum rates of pay established in the foregoing provisions may be reduced by not more than 25% of such rates in the States of North Carolina, South Carolina, Georgia, Louisiana, Mississippi, Florida, Tennessee, Alabama, Texas, Arkansas and that part of Kentucky south of a line drawn East and West through the City of Louisville."

AMENDMENT No. 11

Article III is amended by changing the period at the end of Section 1 to a semi-colon and adding thereto the following: "nor in excess of six days in any seven day period."

AMENDMENT No. 12

Article IV is amended by striking therefrom Section 4 and substituting therefor the following: "4. The minimum rates established in the foregoing provisions shall not apply to learners, who shall be paid not less than 80% of the minimum rates of pay hereinabove established; provided, however, that the number of such learners shall not exceed 5% of the total number of employees of any member of the Industry at any one time, and provided further, that the period during which a person may be classified as a learner shall not exceed four weeks, whether served under one or more employers. For the purpose of this Section, learners are defined as persons who have not served as learners a total in time of four weeks or more at a particular class of job."

AMENDMENT No. 13

Article IV is amended by striking therefrom Section 5 and substituting therefor the following: "5. A person whose earning capacity is limited because of age or physical handicap may be employed on light work at a wage of not less than eighty per cent of the minimum rates prescribed in this Article if the employer obtains from the State Authority designated by the United States Department of Labor a certificate authorizing his employment at such wages and for such hours as shall be stated in the certificate. Such authority shall be guided by the instructions of the United States Department of Labor in issuing certificates to such persons."

Each employer shall file with the Code Authority a list of all such persons employed by him. The total number of employees exempted by this Section shall not exceed five per cent of the total number of employees of each employer at any one time."

Approved Code No. 92—Amendment No. 2.
Registry No. 1042-1-02.



